

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JAKE REINHARDT, TAYLOR M.  
SCHMIEDER, KEVIN R. HARRINGTON,  
CASEY E. CARMINATI, and  
KRYSTYNA KIMBRELL

Plaintiffs,

v.

Civil Action No.: 1:21-CV-00206

THE CITY OF BUFFALO, CLAYTON REED,  
MELISSA KURDZIEL, JAE S. MURPHY,  
SPENCER T. GEORGE, ROBERTO J. TORRES,  
COLIN KEENAN, DEVON SALTER-BROWN,  
BAIL SHOP, LLC, ADEL MIKHEAIL,  
BUFFALO BAIL BONDS AGENCY, INC.,  
DENNIS WHITE, and WAYNE BRYANT

Defendants.

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**NOTICE OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

**NATURE OF ACTION:** Violation of Civil Rights.

**MOVING PARTY:** Plaintiffs, Jake Reinhardt, Taylor M. Schmieder, Kevn R. Harrington, Casey E. Carminati, and Krystyna Kimbrell.

**DATE, TIME, AND PLACE:** To be determined by the Court.

**SUPPORTING PAPERS:** Declaration of Chad A. Davenport, sworn to on June 26, 2024, with exhibits; Declarations of Jake Reinhardt, Taylor M. Schmieder, Kevn R. Harrington, Casey E. Carminati, and Krystyna Kimbrell; Local Rule 56 Statement of Material Facts; and accompanying memorandum of law.

**ANSWERING PAPERS:** Pursuant to Local Rule 7(b), unless the Court issues an order otherwise.

**REPLY PAPERS:** Plaintiffs intend to submit reply papers.

**RELIEF REQUESTED:** An order (1) Granting summary judgment in favor of Plaintiffs on their claims against Defendants Dennis White

and Wayne Bryant for violations of their Fourth Amendment rights under 42 U.S.C. § 1983; (2) Granting summary judgment in favor of Plaintiffs on their claims against Defendants Clayton Reed, Melissa Kurdziel, Jae S. Murphy, Spencer T. George, Roberto J. Torres, Colin Keenan, and Devon Salter-Brown for violations of their Fourth Amendment rights under 42 U.S.C. § 1983; (3) Granting summary judgment in favor of Plaintiffs on their *Monell* claims against Defendant City of Buffalo; (4) Granting summary judgment in favor of Plaintiffs on their state law claims for trespass, false imprisonment, assault, and battery against Defendants Bail Shop, LLC, Adel Mikhail, and Buffalo Bail Bonds Agency, Inc. under a theory of vicarious liability; (5) Declaring that Defendants Dennis White and Wayne Bryant were state actors under the joint action test for purposes of § 1983 liability; (6) Declaring that the City of Buffalo and its officers are jointly and severally liable with Dennis White and Wayne Bryant for the constitutional violations; (7) Declaring that qualified immunity does not shield the individual police officer defendants from liability; and (8) Granting such other and further relief as the Court deems just and proper.

**ORAL ARGUMENT:**

Requested to be argued by Mr. Davenport.

Dated: June 26, 2024  
Buffalo, New York

**RUPP PFALZGRAF LLC**  
*Attorneys for Plaintiffs*

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